

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA
CLARKSBURG**

AARON D. EDISON,

Petitioner,

v.

**CIVIL ACTION NO. 1:17-CV-114
(JUDGE KEELEY)**

**STATE OF WEST VIRGINIA,
Ex. Rel., et al,**

Respondents.

REPORT AND RECOMMENDATION

On June 27, 2017, the Office of the Clerk of this Court received and filed the petition of the petitioner seeking “appeal” against the State of West Virginia, Ex. Rel., the West Virginia Department of Health and Human Resources, the Bureau of Child Support Enforcement, and Carolin M. Dotson. (ECF No. 1). Thereafter, the court ordered Petitioner to clarify his filing. (DCF No. 13). In response, Petitioner indicated that he seeks both to “appeal the Memorandum Decision issued by the West Virginia Supreme Court of Appeals,” attacking his conviction in the Circuit Court of Wirt County, West Virginia for failure to pay child support, “as well as [relief against the respondents pursuant] to 28 U.S.C. § 2254” alleging gender discrimination in violation of his “Fourteenth Amendment right to Equal Protection under the law.” (ECF No. 15 at 3-4).

Although Petitioner is currently incarcerated in North Central Regional Jail due to custodial arrangements governed by the West Virginia Division of Corrections, Wirt County does not lie in the Northern District of West Virginia, but rather in the Southern District of West Virginia. Plaintiff’s allegations include claims against various agencies and courts all located in Wirt County. Since this action arose and the necessary witnesses and all defendants are to be found in the Southern District of West Virginia, the Court is of the opinion that it would be more

convenient for the parties and in the interest of justice to transfer venue in this action to the Southern District of West Virginia.

The undersigned therefore **RECOMMENDS** that this action be transferred, pursuant to 28 U.S.C. § 1404(a), to the docket of the United States District Court for the Southern District of West Virginia, Charleston Division, for all further proceedings.

The Clerk is **DIRECTED** to transmit a certified copy of this Order to the *pro se* petitioner, by U.S. Mail, return receipt requested, at his last known address on the docket sheet.

Entered: September 12, 2017.



MICHAEL JOHN ALOI
UNITED STATES MAGISTRATE JUDGE